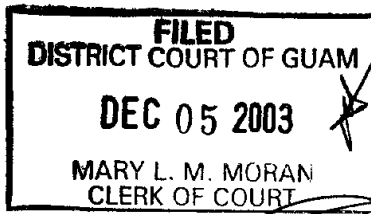


orig:



112

Tony H. Ashtiani
P.O.Box 12723
Tamuning Guam 96931
671-688-4844
671-653-5575

UNITED STATES DISTRICT COURT
DISTRICT OF GUAM

Tony H. Ashtiani,)
)
Plaintiff,) Civil Case No.: 02-00032
)
Vs.)
)
Continental Micronesia Inc,) AFFIDAVIT OF TONY H. ASHTIANI
) IN SUPPORT OF REPLY TO
) DEFENDANT'S OPPOSITION TO
) PLAINTIFFS' MOTION FOR PARTIAL
) SUMMARY JUDGMENT.
)
Continental Airlines,)
)
Defendant.) (Fed R. Civ. P. 56)
)
)
)

Guam U.S.A) SS:
Municipality of Hagatna)

I make this affidavit in Pursuant to federal rules of civil
procedure rule 56.

I, Tony H. Ashtiani, being first fully sworn say:

ORIGINAL

1 1. All the statement made in this affidavit is based on
2 my personal knowledge.

3 2. All exhibits referred and herein attached have been
4 reviewed and thus I have personal knowledge of these documents
5 and information contained therein.

6 3. I am plaintiff pro se in the above entitled action.

7
8 4. The CMI Attendance policy in reference to no show. I was
9 not a no show and even if this was true it clearly states
10 "without notification". **EXHIBIT A.**

11
12 5. CMI and IBT agreement ARTICLE 18 ABSENCE FROM DUTY states
13 Two (2) consecutive days "without notifying" the company of the
14 reason for his absence. **EXHIBIT B.**

15
16 6. I received a letter on July 12, 2001 via certified mail
17 containing defendant's CMI letter dated July 03, 2001. stating
18 two defenses as specific reasons for cause of termination.
19 **EXHIBIT C.**

20
21 A. No call/ No show On Jun 23, 24 2001.

22 B. Refusal to meet to discuss the situation on Monday July
23 02, 2001.

24
25 C. Even if sick calls required supervisor approval see
paragraph 19 and 20 for this defense.

1 Plaintiff proves based on preponderance evidence that specific
2 reason for termination were pretext.

3
4 7. Mr. Joe Pangelinans' Declaration EXHIBIT D.

5 8. Mr. Joe Pangelinans' Declaration Exhibit E.

6 Mr. Joe pangelinan states that "I had informed Mr.Mendoza
7 that duty supv. On duty that Tony Ashtiani would not be in on
8 Jun 23, 24 2001 at approx 1300, shift starts at 1330".

9
10 9. Mr. Mendoza On June 23, 2001 at 16:38 (Approx 3 and 1/2
11 Hours after he was informed by Mr. Pangelinan sends a e-mail
12 "TONY DID NOT SHOW UP FOR ANY OF HIS DAYS" although in the same
13 email he offers FMLA to Mr. R. Gumataotao and warns him to
14 secure Doctor Note. Employee of the same classification as
15 Plaintiff. Defendant's production document (000931) EXHIBIT F.

16
17 10. Mr. Ron Roberts declaration 'I was told by one supervisor
18 Bill Herrera " if Glenn would of told me Tony called in all this
19 would not be happening."' EXHIBIT G.

20
21 11. Plaintiff was informed to attend a meeting at 1600 on July
22 02, 2001.

23 12. Attorney Mark Williams Esq., asks what is the meeting
24 about and defendant deprived plaintiff rights to procedural due
25 process and rights to representation Declaration of Mark

Williams .EXHIBIT H. (please note that this happened at 10:30 a.m.)

13. Accordingly, left with limited procedural mechanism Ashtiani requested information and submitted a letter to human resources on July 02, 2001 at 11:05 a.m. Defendants' production of document (000928) EXHIBIT I.

14. It was not until 11 minutes after the meeting at 16:11 that Ms. Teresa Sage response to my letter and states " I Have received your letter". She states "you need to contact Zar as soon as possible". Defendants Production of Document (000929) EXHIBIT J .

15. Plaintiff respectfully directs the attention of the Court that, this meeting was nothing but a "staged theatre" as Mr. Zar Atalig On June 28, 2001 (3 days prior to the meeting) had requested plaintiff's final pay check Defendants' production of documents (000225) EXHIBIT K.

16. It is not plaintiff that has produced these documents Rather, it is the defendant through its own production of documents that has produced documents to discredit and unworthy of believe their own case. This single piece of document (000225) critical pivoting point under FRCP rule (56), Genuine issue of facts, upsetting indeed, indicates ill will, malice, and recklessness with no regards to plaintiffs' rights to adequate fair hearing to clear his name.

1 17. Defendant in their official capacity has violated
2 plaintiff's right protected by the Equal Protection Clause of
3 the Fifth and Fourteenth Amendment and by 42 U.S.C. SEC 2000e-2
4 (703) (2) (D). Consequently, plaintiff prays for partial summary
5 judgment.

6 UNLAWFUL EMPLOYMENT PRACTICES.

7 42 U.S.C. SEC 2000e-2 (703) (2) (D)

8 Nothing in this Subsection shall be construed to authorize or
9 permit the denial to any person of the due process of law
 requires by the constitution. EXHIBIT L

10 18. Noted that Defendant is making this change on October
11 30, 2001. (4 months after termination). Defendants' production
12 of document (000254) EXHIBIT M

13
14 19. Plaintiff also fully covered this defense of defendants
15 as Plaintiff requested from his Co-worker to bring out similar
16 situation sick calls from the same classification as plaintiff
17 of different race and nationality.

18 A. On April 03, 2002 Tony. R. Calls Roger. (non Supv).
19 EXHIBIT N.

20 B. On April 14 2002 Junior. M. Calls Victor. (non Supv).
21 EXHIBITS O.

22
23 C. On April 27, 2002 Marlon R. Calls Fabian. (non Supv).
24 EXHIBITS P.

1 20. These above employees did call non-supervisors and did
2 not receive any authorization from supervisor prior to their
3 absences of not coming to work, and Ashtiani among all the
4 employees of CMI needs authorization from supervisor for his
5 absences.

6
7 21. Mr. Vince Diaz's statement " 2 Employees were hired as
8 A&P'S after H. Ashtiani's termination." A&P's(Airframe & power
9 plant) Mechanic. EXHIBIT Q

10
11 22. Mr. Ron Roberts in reference to racial remark post 9/11.
12 EXHIBIT R.

13 23. June 14, 2002 letter from EEOC investigator to
14 Continental Airlines, requesting statistical data. EXHIBIT S
15 Defendants' production of document 001032.

16 24. June 18, 2002 Intentional delay to accomplish July 3,2001
17 as pivoting of response to EEOC. EXHIBIT T Noted that Jul 03,
18 2001 was the date of termination letter. Defendants' production
19 of document 001034.

20
21 25. July 10, 2002 defendants concealed crucial information,
22 and statistical data in reference to number of terminated
23 employees, all minorities, by shifting months, and not
24 responsive to EEOC requests of specific months in question.
25 EXHIBIT U Defendants production of documents 001037. Defendants

1 alters the initial request of EEOC for June 1999 and submits
2 modification made to 6 months ahead to January 1, 2000.
3 **(Skipping 6 months)** Defendant withheld information in reference
4 to statistical data to conceal the identity of Mr. Ali Mahdi
5 which was released in December 1999. African-American, 44 years
6 old, male also in the same respond to EEOC, defendant had
7 already terminated Mr. Bruce Lee on or about June 6, 2001.
8 Chinese National, also a minority in Plaintiff's Department,
9 defendant does a touch and go with his name and never mentioned
10 that he was also terminated.

11
12 26. Defendant On the same EXHIBIT U alters the ending
13 period of statistics from June 2001 of EEOC , to fit their own
14 to July 3, 2001, which its original motive of change of this
15 date was generated on the letter dated June 18, 2002. previous
16 EXHIBIT T More importantly, this had played an optical illusion
17 to distract investigator's recollection in reference to (July
18 03). U.S. Federal Investigator had requested statistics between
19 June 1999 to ending June 2001, no mention any where in his
20 initial request EXHIBIT S. of ending period July 03 2001.

21
22 27. Defendant's bold legal strategy was a big risk between
23 no cause finding and now intentional discrimination and
24 intentional retaliation post 9/11. The defendants' actions were
25 generated from Covering up statistical data.

1 28. May 14, 2001. I received a letter containing a request
2 for Notice of Right to Sue, from EEOC, I was also asked to
3 provide witnesses that you do not have to call supervisor when
4 calling in sick.

5
6 29. During my review of my documents I notice Mr. Thompson
7 had called in sick on Jun 19 , 2001 and his call was taken by
8 Mr. Frank Taijeron non-supervisory position. EXHIBIT V.

9 30. I respectfully requested that if Mr. Thompson could
10 assist me in this matter and call EEOC, he agreed.

11
12 31. During this period, I was told by my co-workers that
13 supervisor and manager held a meeting in all shifts about a
14 mechanic sexually harassing a gate agent.

15
16
17 32. It is worthy of note that a unwelcome and unpleasant
18 physical contact with a female passenger service agent (name is
19 kept confidential to not violate her expectation of private
20 privacy rights) was conducted by an aircraft mechanic and that
21 the gate agent had reported this incident to human resources
22 department which at the time Mr. Dixon McKinzie was a director.

23
24 33. Noted, that Mr. McKinzie during this time was named a
25 respondent to an EEOC Charge as well.

1 34. Few weeks later, EEOC stated to me that Mr. Thompson did
2 not know my nationality and that I was Mexican and not Middle
3 Eastern.

4
5 35. I was extremely confused, stressed and pressured by the
6 outright lies. So I asked several mechanics if they knew
7 anything about the motive of the lies. I was told by two
8 mechanics the meeting about sexual harassment was held because
9 Mr. Thompson was reported to HR.
10

11
12 36. Mr. Joe Pangelinan declaration about Mr. Thompson
13 knowledge about my nationality and misleading the investigator.

14 EXHIBIT W .

15
16 37. Mr. Therrell statement about Mr. Thompson knowledge about
17 my nationality and that he was forced with a hidden motive
18 behind it. EXHIBIT X

19
20 38. I truly Do not know why the attorneys defending title VII
21 told Mr. Thompson to lie about my nationality, what hurts me the
22 most, this respected woman went to human resources for help and
23 protection, Rather CMI violated her dignity, human rights
24 because a back door room deal was made with Mr. Thompson so that
25

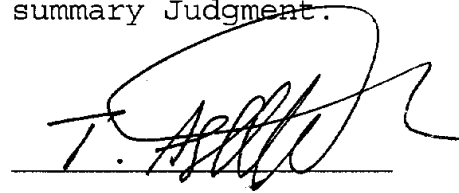
1 he can lie to EEOC investigator. This is outmost malice reckless
2 outrageous, callus, misconduct of a corporation against women.

3
4 I declare under penalty of perjury that the forgoing is true
5 and accurate to the best of my knowledge.

6 Further the affiant sayeth naught.

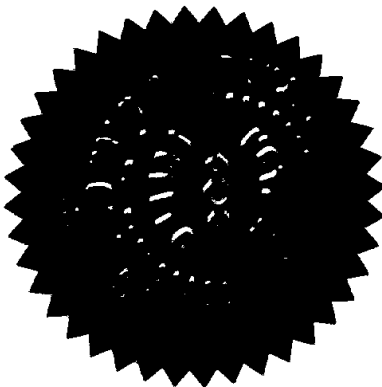
7 Executed this 2nd day of December 2003 at Hagatna Guam.

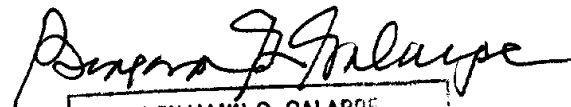
8
9
10 I sign this affidavit in reply to defendants' opposition
11 to plaintiff's motion for partial summary Judgment.

12
13 

14 TONY H. ASHTIANI

15
16 SUBSCIBED AND SWARN TO BEFORE ME On This 2nd day of December
17
18 2003 at Hagatna, Guam U.S.A. by Tony H. Ashtiani




BENJAMIN G. GALARPE
NOTARY PUBLIC
In and for Guam, U.S.A.
My Commission Expires August 9, 2005
P. O. Box 821, Hagatna, Guam 96932

A

TTENDANCE POLICY

Regular attendance and punctuality are essential factors in insuring the personal success of each Employee, the success of the Department to which we are assigned and the successful achievement of Continental Micronesia's Corporate Goals. Excessive absenteeism and lateness places an unfair burden on our fellow Employees and has a profound adverse effect on our ability to achieve our personal success and the continued success of Continental Micronesia. This attendance program is designed to assist each Employee by setting forth a standard for acceptable attendance so each Employee knows what is expected of them. It is also designed to assist our Management team in monitoring and managing Employee attendance and punctuality in a fair and consistent manner.

Eight (8) incidents within a twelve month period is normally considered to be excessive and can subject the Employee to serious disciplinary action.

A. *DEFINITIONS*

1. **ACCOUNTABLE ABSENCES** are defined as an instance when an Employee is absent from work (a) due to sickness involving the Employee or his/her spouse or dependent child, (b) is late reporting for duty of more than 5 minutes, (c) is unable to report with prior notice to supervisor, (d) fails to report (no show) without prior notification to supervisor, and (e) departs early without authorization.
2. **NO SHOW** is the most serious type of absenteeism. When an Employee fails to show for work, it creates a hardship on the operation and other Employees. More than one incident of no show may result in an acceleration of discipline. Two (2) consecutive days (or duty assignments) absence from duty without notification may result in discipline that does not exclude termination.
3. **SICK** is an incident due to the illness of the Employee or his/her spouse or dependent child. Absence due to sickness is considered one incident even if it extends for consecutive days. The Employee must notify his/her supervisor in advance of each shift or duty assignment unless a doctor has prescribed a certain number of days free from work and the supervisor has been provided this information.
4. **LATE REPORT** – An employee is considered late for disciplinary purposes if he/she reports for work more than 5 minutes late. Three incidents of reporting five or less minutes late within a six month period will trigger the issuance of one Late incident to the Employee's attendance record and will disqualify the Employee from participation in the ATTENDANCE INCENTIVE AWARDS PROGRAM.
5. **PATTERNS AND TRENDS OF ABSENCE** – An Employee's attendance record will be reviewed to determine attendance patterns and trends. Patterns and trends may include absenteeism consistently falling in conjunction with an Employee's scheduled days off, scheduled vacation, holidays, surrounding day trade off, or when absenteeism frequently occurs on the same days of the month. In some cases, the attendance guidelines may be accelerated to promote attendance improvement by the Employee.

ARTICLE 18

ABSENCE FROM DUTY

- ★
- A. Unless otherwise provided by special departmental bulletin, an employee hereunder who is prevented from reporting for duty shall notify the supervisor on duty prior to the start of his shift and shall give the reason for his inability to report for duty. Such notification shall be necessary only once in any continuous period of absence providing that the employee has notified his immediate supervisor of the approximate duration of his absence and the date on which he will return to work.
- B. An employee hereunder shall not be absent from duty without prior permission in writing, except for sickness, injury, or other cause beyond the control of the employee.
1. An employee may be discharged for cause if he is absent from work for two (2) consecutive days without notifying the Company of the reason for his absence. However, he shall not be discharged if a satisfactory reason is given for not notifying the Company.
 2. It is the employee's responsibility to initiate the Absence from Duty report and submit to his immediate supervisor for processing on each absence from duty for any cause whatsoever. Such report should be submitted prior to the employee taking any scheduled time off. However, it must be submitted prior to the employee returning to his first scheduled shift. The only exceptions to the prior approval are occupational injury or sickness. All other items listed in Article 9, Paragraph D must have prior approval or he will not receive any pay for such absence until such document is submitted regardless of other provisions of this Agreement.
- C. When it is necessary for an employee to be absent from duty because of death in his immediate family (wife, husband, child, mother, father, sister, brother, grandparents of employee, his mother-in-law or his father-in-law, grandchildren and dependents living in the employee's household), he shall have four (4) twenty-four (24) hour work periods to be taken within ten (10) twenty-four (24) hour periods starting from the time of death, during which he will not be required to report for duty and shall not suffer any loss of his base pay. If the above defined death in the immediate family occurs, the employee taking such time off will be allowed at that time up to and including a maximum of forty (40) hours of unused vacation days or earned unused sick leave in conjunction with the above referenced four (4) days bereavement time. Such use of sick time will not count for attendance/disciplinary purposes.



(21)

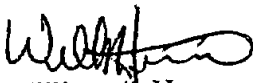
To: Hamid (Tony) Ashtiani
From: William A. Herrera
Subject: Disciplinary Action
Date: July 3, 2001

At the end of our discussion on June 26, 2001 with Prudencio Aguilo and IBT Representative, Mike Pablo present, you were advised that you would be contacted for a meeting on Monday. I had also advised you to contact me by Tuesday, 1600 if you had not heard from me. The meeting was scheduled to discuss your no-call/no-show of your shifts of June 23 and 24, 2001.

After numerous attempts, starting with my e-mail sent on June 27 to the address you had provided and also voice messages left on the answering machine associated with telephone number 653-5575, we have been unable to set a formal meeting date. Because of the faxed received at 1701 on July 3, 2001 it is apparent that you don't want to meet to complete this investigation. With the information that I have available and based on no reasonable explanation for not securing authorization for your absences on June 23 and 24, 2001 I have made the decision to terminate your employment with Continental Micronesia effective July 3, 2001.

Because your refusal to meet and discuss this situation any further, it is with regret that I am reduced to sending this certified letter concerning your status with Continental Micronesia. Your final paycheck is available and may be retrieved from the Human Resources department by contacting Robbi Crisostomo, 642-8727 or Teresa Sage, 642-8852.

Should you elect to appeal this termination, you may do so in accordance with Article 24 of the current bargaining agreement between Continental Micronesia, Inc. and The International Brotherhood of Teamsters, Chauffeurs, Warehousemen and Helpers of America.


William A. Herrera

Cc: Baltazar Atalig
Employee Relations
Union Representative
P-file

323

(21)

DECLARATION

DECLARATION OF JOE PANGELINAN.

I, Joe Pangelinan declare as follows:

My name is Joe Pangelinan, at my own will I testify that Tony Ashtiani did call on June 23, 2001 at approx. 1250 p.m. that Tony informed me he will not be in due to illness of his son and he would not be in on June 23 and 24, 2001.

If you have any questions please contact me at Cell 687-2303. Hm. 789-1946.

If called as a witness, I would and could testify competently testify thereto to all facts within my personal knowledge except where stated upon information and belief. I further hereby declare that this declaration is executed under penalty of perjury at HAGANA, Guam, on this 17 day of November 2003.

JOE P. PANGELINAN

Printed Name

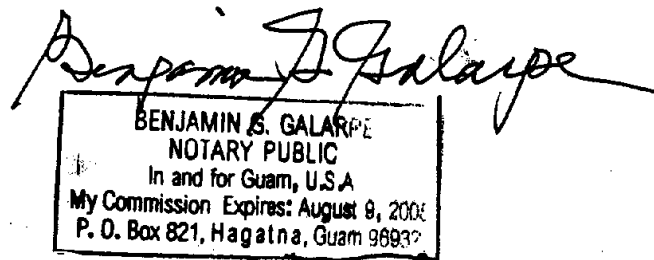
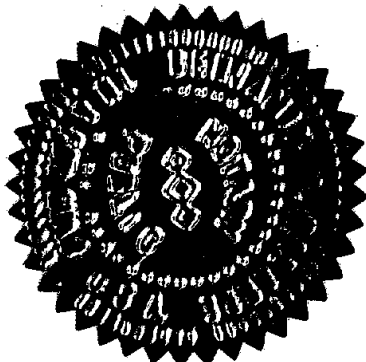
[Signature]

Signature

CERTIFIED COPY

GUAM, U. S. A.,

On this 18th day of November, 2003, I certify that the preceding or attached documents and the duplicate retained by me as a notarial record, are true, exact, copies of "DECLARATION OF JOE PANGELINAN", presented to me by the document's custodian TONY H. ASHTIANI, held in my custody as a notarial record, and that, to the best of my knowledge, are either public records nor publicly recordable documents, certified copies of which are available from an official source other than a notary.



DECLARATION

DECLARATION OF JOE . PANGELINAN.

I, Joe Pangelinan declare as follows:

In addition to previous declaration, I had informed Mr. Mendoza that duty supervisor on duty that Tony Ashtiani would not be in on Jun 23 & 24 2001 at approx 1300, shift starts at 1330.

In reference to Mr. Sherman Thompson's statement everyone in the dept knew Tony Ashtiani was of Iranian descent on several occasion Mr. Sherman Thompson would talk Politics about Iran with Tony Ashtiani. Sherman Thompson on different occasions would refer to Tony Ashtiani as his "Persian Brother" or "Iranian Brother." Sherman Thompson is misleading the investigator on Tony Ashtiani knowledge of his nationality.

My personal view on the situation is Mr. Tony Ashtiani is a very respectable and knowledgeable individual in our dept. Please consider his case.

If called as a witness, I would and could testify competently testify thereto to all facts within my personal knowledge except where stated upon information and belief. I further hereby declare that this declaration is executed under penalty of perjury at AGASA, Guam. on this 17 day of November 2003.

JOSEPH M. PANGELINAN
Printed Name

[Signature]
Signature

CERTIFIED COPY

GUAM, U. S. A.,

On this 18th day of November, 2003, I certify that the preceding or attached documents and the duplicate retained by me as a notarial record, are true, exact, copies of "DECLARATION OF JOE PANGELINAN", presented to me by the document's custodian TONY H. ASHTIANI, held in my custody as a notarial record, and that, to the best of my knowledge, are either public records nor publicly recordable documents, certified copies of which are available from an official source other than a notary.

[Signature]
BENJAMIN G. GALARPE
NOTARY PUBLIC
In and for Guam, U.S.A
My Commission Expires: August 9, 2005
P. O. Box 821, Hagatna, Guam 96932

Herrera, William A

From: Mendoza, Glenn R
Sent: Saturday, June 23, 2001 16:38
To: Babauta, Benjamin C; Herrera, William A
Cc: Atalig, Baltazar

TO DAYS/SWINGS 23JUN01

201- NLG DIP CW BY DAYS. AC TO DO 973. NO PLA.

227- GOOD TA AC. PUT LITE BULBS 4551 FOR MNL MX. IT'S IN THE COCKPIT. NO PLA.

228- SCK WIP, NO PLA. ONE DIP FOR NO1 ENG NO8 BLADE SLOT CONVEX TE SIDE WITHIN LIMITS, NEED TO DO INSP PER ECRA 7221-0164. SPN PLA NO1 ENG HIGH STAGE BLEED, SWINGS WIP.

232- GOOD DISP, CHECKING ON AOG FOR INFO FOR SHIPPING ON PANEL 29-5221-3-0024 DUE IN 03JUL PER AOG ROBERT..

235- COMING IN AT 2255. WILL TRY AND MEET TO PUT OIL. NO PLA.

236- GOOD DISP.

GOOD TA AC. NO PLA.

246- SCK WIP, NO PLA.

249- SWAPPED WITH 250, SENT SCK-3 PAPERWORK AND PARTS TO SPN TO CW.

250- SWINGS WIP FOR CONDUIT DIP, SCK WIP. ETR 0200 24JUN.

063- CAME IN WITH COFFEE AND OVEN INOP CW, DID NOT WORK CARGO DUE RAMP LOADING.

083- SCK WIP, WORKING PLA AT THIS TIME. FAULT ISO PANEL, A/C DOOR OIL, FWD CARGO LOADING SYS INOP.

PLS SEE IDI FOR EA FOR OXY GEN INSP.

BILL, TONY DID NOT SHOW UP FOR ANY OF HIS DAYS, HE DID TALK TO JOE P. ABOUT SOME MEETING YOU AND HIM ARE TO ATTEND ON MONDAY. SEE NOTE IN YOUR MAILBOX. ALSO RYAN G. HAS BEEN SICK THIS WHOLE WEEK. HE CALLED ME ON FRIDAY AND SAID HE WAS GOING TO SEE A DOCTOR THAT DAY, I TOLD HIM TO MAKE SURE HE HAD A DOC. NOTE. I DID OFFER FMLA BUT HE DECLINED.

PER MARTY EA FOR OXY GEN INSP MY BE DONE IF YOU FEEL YOU HAVE THE TIME AND MANPWR. IF NOT HE CAN HAVE IT DONE AT BCK, NO BIG RUSH ON THIS. PER MARTY.

ZAR, I WOULD LIKE TO TAKE ONE WEEK VAC STARTING 12-15JUL, THIS IS THE WEEK I MOVED IN MAY DUE TO BILL WAS ALSO ON VAC.

F

000931

DECLARATION

DECLARATION OF RON ROBERTS .

I, Ron Roberts declare as follows:


During the month of December on or about 11th, 2001. I Ronald Roberts went to Mr. Jim Hammer's office to talk to him about man power. Because of the recent layoff of Aircraft Mechanics when I asked Mr. Hammer about bringing back Mr. Wong (Ed), because we were told, by Mr. John Carbullido who took a year leave of absents. John was told by Mr. Hammer he was recalling Ed Wong. But this was only to keep John Happy until he left. Mr. Hammer had no intentions of bring anyone back, In fact, Mr. Hammer had told me we were still 6 people over-manpower. So I asked Mr. Hammer about Tony Ashtiani who I feel was wrongfully released from the Company because of two supervisor's not communicating with each other. I was told by one supervisor Bill Herrera "If Glenn would of told me Tony Called in all this would not be happening."

Mr. Hammer told me that after the recent event of 9-11 "That Tony Ashtiani would never work around these aircraft again if he could do anything about it because he could not trust people like Mr. Ashtiani." End of statement.

If called as a witness, I would and could testify competently thereto to all facts within my personal knowledge except where stated upon information and belief. I further hereby declare that this declaration is executed under penalty of perjury at Yigo, Guam, on this 20th day of November 2003.

RON ROBERTS

Printed Name

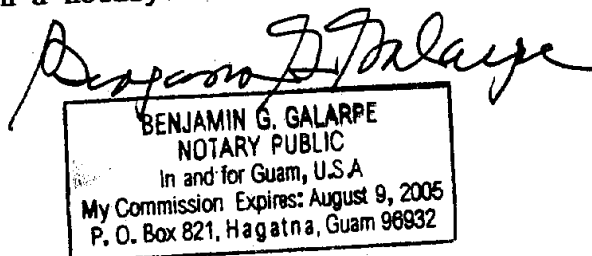


Signature

CERTIFIED COPY

GUAM, U. S. A.,

On this 26th day aof November, 2003, I certify that the proceeding or attached document, and the duplicate retained by me as a notarial record, are true, exact, stated portion of "DECLARATION OF RON ROBERTS", presented to me by the document's custodian TONI H. ASHTIANI, held in my custody as a notarial record, and that, to the best of my knowledge, are either public records nor publicly recordable documents, certified copies of which are available from an official source other than a notary.



H

DECLARATION

DECLARATION OF MARK E. WILLIAMS

I, Mark E. Williams, declare as follows:

(u) JULY
On ~~June~~ 2, 2001 at approximately 10:30 a.m., Guam time, I contacted Ms. Teresa Sage of the Continental Airlines Human Resources Office by phone and advised her of this office's representation of Mr. Tony Ashtiani, and requested information regarding the subject matter of the pending hearing or conference between the Management of Continental Airlines and Mr. Ashtiani involving Mr. Ashtiani's disciplinary action, and his related appeal/grievance of such action. I further requested information necessary for the preparation of Mr. Ashtiani and this office for such conference or hearing. However, Ms. Sage refused to provide any such requested information or to acknowledge this office's representation of Mr. Ashtiani. Instead, Ms. Sage directed me to contact Continental's legal office in Houston, which we were unable to do by phone as the office in Houston was apparently closed at that hour.

I declare that I have firsthand knowledge of the foregoing facts, that I have read the foregoing statement and that the information contained herein is true and correct to the best of my knowledge and belief, and that if called as a witness, I could testify competently thereto. I further hereby declare that this declaration is executed under penalty of perjury at Hagatna, Guam on

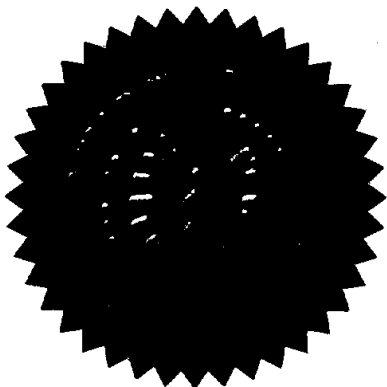
3/20/02
Mark E. Williams
Printed Name

[Signature] (Date)
Signature

CERTIFIED COPY

GUAM, U. S. A.,

On this 3rd day of December, 2003, I certify that the preceding or attached document, and the duplicate retained by me as a notarial record, are true, exact, stated portion of "DECLARATION OF MARK E. WILLIAMS" presented to me by the document's custodian TONY H. ASHTIANI, held in my custody as a notarial record, and that, to the best of my knowledge, are either public records nor publicly recordable documents, certified copies of which are available from an official source other than a notary.



Benjamin G. Galarpe
BENJAMIN G. GALARPE
NOTARY PUBLIC
In and for Guam, U.S.A.
My Commission Expires: August 9, 2005
P. O. Box 821, Hagatna, Guam 96962

313.

July 01, 2001

TONY ASHTIANI

**P.O. BOX 12723
TAMUNING, GUAM 96931
CELL: 671- 688-4844
CELL: 671- 687-8182
TEL : 671- 653-8008
FAX : 671- 653-5575
(e-mail) ashtiani@ite.net**

**TO : Ms .TERESA SAGE
HUMAN RESOURCES DEPT.
LABOR RELATIONS**

RE: MEETING

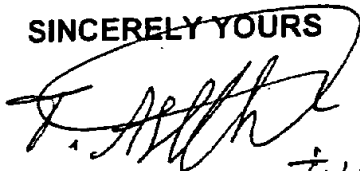
**PLEASE BE ADVISE AS PER THE AGREEMENT BETWEEN CMI AND IBT ,
ARTICLE 24 ITEM F. LETTER VIA CERTIFIED MAIL WHICH WOULD INCLUDE THE
FOLLOWING INFORMATION.**

- 1) THE CONTENTS OF THE MEETING?**
- 2) THE NUMBERS OF PERSONS WHICH WILL ATTEND (CMI)?**
- 3) WHO WILL BE ATTENDING THIS MEETING (PROVIDE LIST OF NAMES)?**
- 4) WHICH ARTICLES WILL BE DISCUSSED?**
- 5) WHICH STEPS OF ARTICLE 24 WILL BE DISCUSSED?**

**SINCE THIS MEETING HAS DIRECT EFFECT ON ME I AM ENTITLED TO
SUCH BASIC ANSWERS ALSO PROPER AND ADEQUATE TIME TO PREPARE.**

YOUR COOPERATION IN THIS MATTER IS KINDLY APPRECIATED .

SINCERELY YOURS



*Jul/02/01
11:05 AM*

RECEIVED
7/2/01

11:12 AM

000928

Sage, Teresa

From: Sage, Teresa
Sent: Monday, July 02, 2001 4:11 PM
To: 'ashtiani@ite.net'
Subject: Meeting
Importance: High

Tony,

I have received your letter. As a matter of fact, Bill Herrera has been trying to reach you to confirm the meeting that was scheduled for 1600 today. I understand he e-mailed you last week when he set it up. With regard to the information you refer to in your letter, I'm afraid you have misunderstood the contract. We welcome the chance to clarify during the meeting with you.

You need to contact Bill or one of the Tech Ops supervisors or Zar as soon as possible.

Regards,

Teresa Sage

tsage@csair.com

Employee Relations

(671) 642-8852 - Office

(671) 649-5006 - Fax (private)

(671) 720-8202 - Pager

Co mail: GUMHR

J

000929

INTER-DEPARTMENTAL MEMORANDUM

June 28, 2001

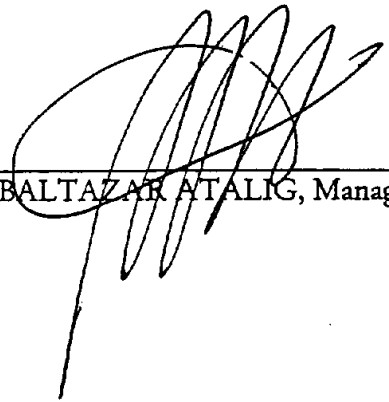
TO: Beatriz A. Camacho,
Payroll Department

FROM: Adrienne B. Cruz

SUBJECT: Final Paycheck - Tony Ashtiani

Enclosed is the Hours Summary, and Punch Detail Report for the aforementioned subject. Should you have any inquiries or require additional information, please do not hesitate to contact me.

Please be advised that this memorandum is countersigned and approved by our Manager.



BALTAZAR ATALIG, Manager - Aircraft Maintenance

From the desk of:
Adrienne B. Cruz
Administrative Specialist
Phone: [671] 642-8904
Fax: [671] 649-5248
E-mail: acruz@csair.com
Boardmail: GUMMX

000225

(i) by a person who, prior to the entry of the judgment or order described in subparagraph (A), had-

(I) actual notice of the proposed judgment or order sufficient to apprise such person that such judgment or order might adversely affect the interests and legal rights of such person and that an opportunity was available to present objections to such judgment or order by a future date certain; and

(II) a reasonable opportunity to present objections to such judgment or order; or

(ii) by a person whose interests were adequately represented by another person who had previously challenged the judgment or order on the same legal grounds and with a similar factual situation, unless there has been an intervening change in law or fact.

(2) Nothing in this subsection shall be construed to-

(A) alter the standards for intervention under rule 24 of the Federal Rules of Civil Procedure or apply to the rights of parties who have successfully intervened pursuant to such rule in the proceeding in which the parties intervened;

(B) apply to the rights of parties to the action in which a litigated or consent judgment or order was entered, or of members of a class represented or sought to be represented in such action, or of members of a group on whose behalf relief was sought in such action by the Federal Government;

(C) prevent challenges to a litigated or consent judgment or order on the ground that such judgment or order was obtained through collusion or fraud, or is transparently invalid or was entered by a court lacking subject matter jurisdiction; or

(D) authorize or permit the denial to any person of the due process of law required by the Constitution.

(3) Any action not precluded under this subsection that challenges an employment consent judgment or order described in paragraph (1) shall be brought in the court, and if possible before the judge, that entered such judgment or order. Nothing in this subsection shall preclude a transfer of such action pursuant to section 1404 of title 28, United States Code.

OTHER UNLAWFUL EMPLOYMENT PRACTICES

SEC. 2000e-3. [Section 704]

(a) It shall be an unlawful employment practice for an employer to discriminate against any of his employees or applicants for employment, for an employment agency, or joint labormanagement committee controlling apprenticeship or other training or retraining, including onthejob training programs, to discriminate against any

ABSENCE FROM DUTY REPORT

INSTRUCTIONS

1. SICK LEAVE: Immediately upon return to work or at the end of each pay period whichever first occurs.
2. OCCUPATIONAL INJURY LEAVE: Immediately when injury necessitates absence from duty.
3. VACATION: Prior to the start of the vacation period; OR when a paycheck is desired before the start of the vacation period, this form must be received in Payroll FOURTEEN (14) CALENDAR days prior to the date the check is desired.
4. OTHER: Immediately upon return to work or at the end of each pay period whichever first occurs.

Distribution: White copy - Payroll • Yellow copy - Division Head File • Pink copy - Supervisor File • Gold copy - Employee

(Attach Doctor's Certificate When Requesting)

SICK LEAVE

I, _____, employed at _____ and _____
PRINT NAME WORK LOCATION COST CENTER

Employee Number _____, hereby certify that I was absent due to sickness for the period of the time indicated below and that I was unable during such period to perform my regularly assigned duties.

DATE OF ABSENCE _____ TOTAL HOURS 000254

BRIEF DESCRIPTION, NATURE OF ABSENCE _____

Signature of Employee _____ ACKNOWLEDGED _____
SUPERVISOR DATE

CIRCLE REGULAR DAYS OFF: S M T W T F S

(Attach Doctor's Certificate When Requesting)

OCCUPATIONAL
INJURY LEAVEI, _____, employed at _____ and _____
PRINT NAME WORK LOCATION COST CENTER

Employee Number _____, hereby certify that I was absent due to sickness for the period of the time indicated below and that I was unable during such period to perform my regularly assigned duties.

DATE OF ABSENCE _____ TOTAL HOURS _____

Signature of Employee _____ ACKNOWLEDGED _____
SUPERVISOR DATE

CIRCLE REGULAR DAYS OFF: S M T W T F S

VACATION

I, _____, employed at _____ and _____
PRINT NAME WORK LOCATION COST CENTER

Employee Number _____, hereby certify that I will be on vacation in accordance with my approved vacation schedule for the period of time indicated below.

VACATION (HOURS) _____

DEFERRED HOLIDAYS (HOURS) _____

DATES OF VACATION (FROM) _____ (TO) _____ TOTAL HOURS _____

MY PAYCHECK TO BE ISSUED ON _____ is herewith requested for _____
(DATE) (DATE)Signature of Employee _____ ACKNOWLEDGED _____
SUPERVISOR DATE

CIRCLE REGULAR DAYS OFF: S M T W T F S

(Personal Business, Authorized Leave, Jury Service, etc.)

I, Tony Astiani, employed at GUMMEX and _____
PRINT NAME WORK LOCATION COST CENTEREmployee Number 05963, hereby certify that I will be on vacation in accordance with my approved vacation schedule for the period of time indicated below.DATE OF ABSENCE JUN 23-24, 2001 TOTAL HOURS 20REASON FOR ABSENCE NO SHOW

If because of death in the immediate family, what relation to the employee? _____

Signature of Employee FOR EMPLOYEE ACKNOWLEDGED [Signature] 10/30/01
SUPERVISOR DATE

CIRCLE REGULAR DAYS OFF: S M T W T F S

Distribution: White copy - Payroll • Yellow copy - Division Head File • Pink copy - Supervisor File • Gold copy - Employee

FORM: 40.0061CM
DATE: 04-01-01
M&E: 00-0703-3-1309

TECHNICAL SERVICES DIVISION
SHIFT LOG

SUPERVISOR SIGNATURE: *[Signature]* DATE: 4/24/02 SHIFT: SWING STATION: Gum

PERSONNEL ABSENCES

EMPLOYEE	TIME CALLED	TAKEN BY	REASON
Tony R.	1228	Requer	Sick

ACFT TIME

SHIFT NOTES

~~Hands up~~ - RUD STRUCTURE INSTL T-952/03
SEAT 5-7 DCR plus 5 small MOD 02

~~WFO~~ - CENNR FTR T-900 N-226 (DAS) FAK-3

~~WFO~~ - RUD ✓ MRL BRK ONBOARD AIRCRAFT FOR POSSIBLE
ATA CHAPTER - 32, 33, 34 + 38 MISSING
INSPECTED A/C AS FOLLOWS:-
N-240 - OK N-246 - OK N-227 - OK
N-236 - OK N-228 - OK N-235 - OK
N-201 - OK N-249 - OK
N-250 - OPEN
N-232 - OPEN

~~WFO~~ - 249 CDL NON-ROUTINE ON N-250 AS FOLLOWS
① RH SIDE KNUGUR FLAP 3+4 SEALS TORN
② LH SIDE FLAP SEALS 1+2 TORN KNUGUR

058 9 SV-DONE P/R = 0 PL = 0
MKS/JOES OK OIL = 0 FUP = 0 BOR = 0
N/R = 0 LAV STRANDS = DONE

249 18 SV-DONE P/R = 0 PL = 0
ONE/VIC OIL = 0 FUP = 0 BOR = 0
Tony D. HF MOD = 0
LAV STRANDS = REMOVED
RUB # 4 TIRE CHANGE DUE WHEN = DONE

052 8 SV-DONE P/R = 0 PL = 0
DAVID/GORGES OK OIL = 0 FUP = 0 BOR = 0

DELAYS:

AC	STA	CODE	MIN	TRIP	NOTIFIED	TIME	GROUNDING AIRCRAFT - REASON
240	Gum	33	10	943		AC	N-232 VB-1 A-26 ✓ GAS FED

FORM: 40.0061CM
DATE: 04-01-01
M&E: 00-0703-3-1309

TECHNICAL SERVICES DIVISION

SHIFT LOG

SUPERVISOR SIGNATURE: *P. Cruz* DATE: 4/14/02 SHIFT: GRAVES STATION: Guam

PERSONNEL ABSENCES

EMPLOYEE	TIME CALLED	TAKEN BY	REASON
J. Martinez	0513	V. Sactof	Sick - flu

ACFT TIME SHIFT NOTES

236	20 SV - Clw	
	MX ROW - open	
	NAV DB - Clw	
	NonRoutines = 2	
JOB BOX	(1) #3 & #4 LE KRUGER FLAP SPN WISE SEALS (2) #2 ENG COOLING VORTEX DEVICE	
246	20 SV - Clw	PLA - 1
	PLA - Video Syst Inop < Controller coming in on trip - 1 >	
	NAV - DB - Clw	
	Move to Gate 13 -	
	* Swapped out w/ A/c 228	
227	21 SV - Clw	Pr - 0
	OIL - Door Stoppers	PLA - 2 01/1-1
	PLA - Kruger Flap seals	
249	15 SV 3 -	PLA - 0 OIL - 0 PR - 0
	Tire chg -	
	NAV DB -	
	2-dents INBD LWR TAIL EDGE FLAP - 0	
	TRNBKL -	
	11 NR	
1N/0	MUST offer out flt for 902/903 CNS @ 1800 Jr. Martinez Called in Sick Cannot make flight	

DELAYS: TIME GROUNDED AIRCRAFT - REASON

A/C	STA	CODE	MIN	TRIP	NOTIFIED	A/C	

FORM: 40.0061CM
DATE: 04-01-01
M&E: 00-0703-3-1309

SHIFT LOG

DATE: 4-27-02 SHIFT: GRAVEYARD STATION: GUM

EMPLOYEE ABSENCES			
EMPLOYEE	TIME CALLED	TAKEN BY	REASON
Marlor	7:35	Fabian	Sick

SHIFT NOTES

236	OIL-TERM	G-21	SC-OPEN	PR-Ø	PLA-Ø	OIL-Ø
-----	----------	------	---------	------	-------	-------

- * APU AUTO SHUTDOWN : STARTER GEN FILTER CLOGGED - OPEN
- * STAB TRIM MOTOR R+R - OPEN
- * ENG OIL SERVICE - C/W

246	0100-TERM	G-20	SC-C/W	PR-Ø	PLA-Ø	OIL-Ø
-----	-----------	------	--------	------	-------	-------

* DIP-#2 ENGINE FAULT, NEED TO CHANGE VBV-OPEN
* FUP-DROP DEAD: RIGHT PRIMARY HEAT EXCHANGER - C/W

240	0440-TERAK G-13	3C-OPEN	PR-6	PLA-6	016-06
-----	-----------------	---------	------	-------	--------

DELAYS:						TIME	GROUNDING AIRCRAFT - REASON
A/C	STA	CODE	MIN	TRIP	NOTIFIED	A/C	

MAY 29, 2002

TO WHOM IT MAY CONCERN:

I, VINCE DIAZ, MAKE THE FOLLOWING STATEMENTS:
THAT,

1. EMPLOYEES, OTHER THAN SUPERVISORS, IN THE MX DEPT. TOOK SICK CALL MESSAGES FROM OTHER EMPLOYEES ...
2. THESE MESSAGES WERE EITHER NOTED IN THE SHIFT TURNOVER LOG, ON THE MESSAGE BOARD OR PASSED ON VERBALLY TO THE SUPERVISOR ON DUTY...
3. THIS PRACTICE IS NO LONGER USED AT WORK...
4. 2 EMPLOYEES WERE HIRED AS A & P'S AFTER H. ASHTIANI'S TERMINATION, DENNIS FLORES & RICK CRUZ...

CERTIFIED COPY

GUAM, U. S. A.,

On this 3rd day of December, 2003,
I certify that the preceding or attached document, and the duplicate retained by me as a notarial record, are true, exact, stated portion of "VINCE DIAZ STATEMENT", presented to me by the document's custodian TONY H. ASHTIANI, held in my custody as a notarial record, and that, to the best of my knowledge, are either public records nor publicly recordable documents, certified copies of which are available from an official source other than a notary.



VINCE DIAZ

734-1383



BENJAMIN G. GALARPE
NOTARY PUBLIC
In and for Guam, U.S.A.
My Commission Expires: August 9, 2006
P. O. Box 821, Hagatna, Guam 96962

345

DECLARATION

DECLARATION OF RON ROBERTS .

I, Ron Roberts declare as follows:

During the month of December on or about 11th, 2001. I Ronald Roberts went to Mr. Jim Hammer's office to talk to him about man power. Because of the recent layoff of Aircraft Mechanics when I asked Mr. Hammer about bringing back Mr. Wong (Ed), because we were told, by Mr. John Carbullido who took a year leave of absents. John was told by Mr. Hammer he was recalling Ed Wong. But this was only to keep John Happy until he left. Mr. Hammer had no intentions of bring anyone back, In fact, Mr. Hammer had told me we were still 6 people over-manpower. So I asked Mr. Hammer about Tony Ashtiani who I feel was wrongfully released from the Company because of two supervisor's not communicating with each other. I was told by one supervisor Bill Herrera "If Glenn would of told me Tony Called in all this would not be happening."

Mr. Hammer told me that after the recent event of 9-11 "That Tony Ashtiani would never work around these aircraft again if he could do anything about it because he could not trust people like Mr. Ashtiani." End of statement.

If called as a witness, I would and could testify competently testify thereto to all facts within my personal knowledge except where stated upon information and belief. I further hereby declare that this declaration is executed under penalty of perjury at Yigo, Guam. on this 20th day of November 2003.

RON ROBERTS

Printed Name

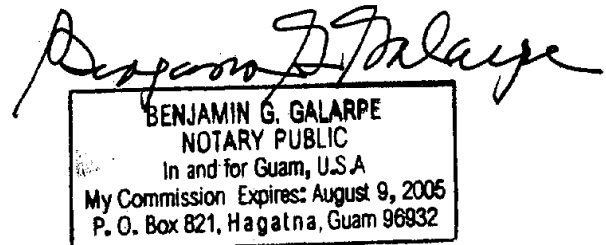
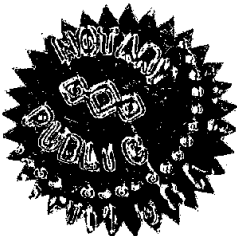


Signature

CERTIFIED COPY

GUAM, U. S. A.,

On this 26th day aof November, 2003, I certify that the proceeding or attached document, and the duplicate retained by me as a notarial record, are true, exact, stated portion of "DECLARATION OF RON ROBERTS", presented to me by the document's custodian TONI H. ASHTIANI, held in my custody as a notarial record, and that, to the best of my knowledge, are either public records nor publicly recordable documents, certified copies of which are available from an official source other than a notary.





U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION
Honolulu Local Office

300 Ala Moana Boulevard, Room 7-127
Honolulu, HI 96850-0051
(808) 541-3120
TTY (808) 541-3131
FAX (808) 541-3390

June 14, 2002

Via US Mail and Fax

Continental Airlines, Inc.
Legal Department
ATTN: Louid Obdyde, Esq.
P.O. Box 4607
Mail Code HQSLG
Houston, Texas 77210

RE: Tony Ashtiani v. Continental Micronesia, Inc.
EEOC Charge No.378-A2-000115

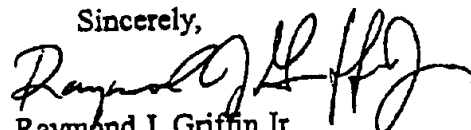
Dear Obdyke,

In order to continue with the investigation, our office will need the following information.

- 1) Provide a list of all Respondent's aircraft mechanics who were no call/no show for two consecutive days between June 1999 to June 2001. Identify by
 - a. name
 - b. ethnic identity
 - c. date of hire
 - d. date(s) of no call/no show
 - e. date of discharge
- 2) Provide all relevant documentation for each employee's discharge. If the employee was not discharged, explain why.

Provide the requested information by June 21, 2002. If you have any questions, contact me at 808-541-3721. Thank you.

Sincerely,


Raymond J. Griffin Jr.

Investigator

001032

Continental Airlines



Continental Airlines, Inc.
41st Floor HQSLG
1600 Smith Street
Houston TX 77002

Tel 713 324 5000
Fax 713 324 5161

June 18, 2002

VIA FACSIMILE: 808-541-3390

Mr. Raymond J. Griffin, Jr.
The Equal Employment Opportunity Commission
Honolulu Local Office
300 Ala Moana Blvd., Room 7-127
Honolulu, HI 96850

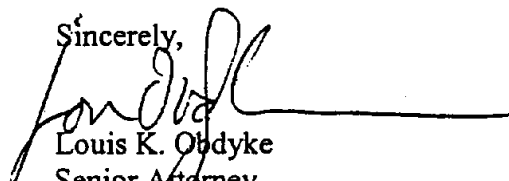
Re: Tony H. Ashtiani, Charging Party
Continental Micronesia, Inc., Respondent
Charge No. 378A200115

Dear Mr. Griffin:

I am in receipt of your request for additional information dated June 14, 2002. I am unable to respond by June 21 due to the fact that the company's director of human resources is out of the office until June 24, and then I will be "on the road" until July 1, 2002. We will gather appropriate comparative information and will forward it on July 3, 2002.

Again, I look forward to working with you in order to assist in a closing this charge with a finding of no cause for discrimination.

Sincerely,



Louis K. Oddyke
Senior Attorney
(713) 324-2218

Continental Airlines



Continental Airlines, Inc.
41st Floor HQSLG
1600 Smith Street
Houston TX 77002

Tel 713 324 5000
Fax 713 324 5161

July 10, 2002

VIA FACSIMILE: 808-541-3390

Mr. Raymond J. Griffin, Jr.
The Equal Employment Opportunity Commission
Honolulu Local Office
300 Ala Moana Blvd., Room 7-127
Honolulu, HI 96850

Re: Tony H. Ashtiani, Charging Party
Continental Micronesia, Inc., Respondent
Charge No. 378A200115

Dear Mr. Griffin:

In response to your June 14 request for supplemental information, CMI advises that two maintenance employees other than Mr. Ashtiani were disciplined during the time period of January 1, 2000 to the date of Mr. Ashtiani's discharge, July 3, 2001, both occurred prior to Mr. Ashtiani's discharge. Other divisions within the company have additional disciplinary actions for No Call/No Show, but checks were made only within the maintenance (Tech Ops) department as that is where Mr. Ashtiani worked.

Mr. Bruce Lee, Chinese/American, was deemed a No Call/No Show in May 2000, but upon investigation and the employee's explanation (death in the family and qualified FMLA leave), Mr. Lee's disciplinary action was retracted. A second No Call/No Show involved a mechanic assigned to fly check flights for maintenance checks, Mr. Edwin Antonio, Asian-Filipino/American. Mr. Antonio failed to show-up for a scheduled check flight and failed to call in - he was issued a written warning based on no prior disciplinary action in his file, unlike Mr. Ashtiani's extensive disciplinary history. The Guam maintenance supervisors are checking for other possible No Call/No Show disciplinary actions, but since the company does not keep a "running log" for discipline, they must look at each individual personnel file - including all those discharged during the time period (files now in storage).


001037

IMANAGE 45258v1

Ashtiani EEOC Response
July 10, 2002
Page 2

CMI hopes this information supports its decision to terminate Mr. Ashtiani for reasons other than his national origin, or any other discriminatory reason, and that you will be able to find no cause for discrimination.

Sincerely,



Louis K. Obayke
Senior Attorney
(713) 324-2218

IMANAGE 45258v1

001038



TECHNICAL SERVICES DIVISION

SHIFT LOG			
SUPERVISOR SIGNATURE		DATE: 6/19/01	SHIFT: SWINGS
PERSONNEL ABSENCES		STATION: GUM	
EMPLOYEE	TIME CALLED	TAKEN BY	REASON
S. THOMPSON	2100	F. TAIFERON	SICK
ACFT	TIME	SHIFT NOTES	
		INFO - T-985 N-228 Dly 18 min. CODE-31 DUE	
		VERBAL FROM CREW #2 ENG GEC CONTROL LTR ON.	
		PREVIOUSLY PLA. UPLOADS GEC SOFTWARE AND	
		REV GEC OIL NOW - FAULT CODE GARRON	
		WAS 73-01042	
		INFO - JOHN/JOE J. FTR T-900 N-201 (DAS) FAK-2	
		INFO - EDWIN/HARRY FTR T-985 N-228 (HKG) FAK-3	
246	15	A-13 ✓ WAS BV CREW HANDLES	
232	15	SV3 ✓ P/R = 0 P/A = 0	
		OIL = 2 Fup = 0 BOR = 0	
249	13	SV2 DONE P/R = 1 T/R DONE P/A = 0	
		OIL = 0 Fup = 0 BOR = 0	
		Dip - GEC FAULTS W.I.P changing T/R - LOST	
		TRUCK L INSP = DONE	
062	8	SV2 OPEN P/R = 1 OPEN P/A = 1	
		OIL = 0 Fup = 0 BOR = 0	
		Dip - 4737 489 = work in progress	
082	9	SV2 DONE P/R = 0 P/A = 3 WIP	

DECLARATION

DECLARATION OF JOE . PANGELINAN.

I, Joe Pangelinan declare as follows:

In addition to previous declaration, I had informed Mr. Mendoza that duty supervisor on duty that Tony Ashtiani would not be in on Jun 23 & 24 2001 at approx 1300, shift starts at 1330.

In reference to Mr. Sherman Thompson's statement everyone in the dept knew Tony Ashtiani was of Iranian descent on several occasion Mr. Sherman Thompson would talk Politics about Iran with Tony Ashtiani. Sherman Thompson on different occasions would refer to Tony Ashtiani as his "Persian Brother" or "Iranian Brother." Sherman Thompson is misleading the investigator on Tony Ashtiani knowledge of his nationality.

My personal view on the situation is Mr. Tony Ashtiani is a very respectable and knowledgeable individual in our dept. Please consider his case.

If called as a witness, I would and could testify competently testify thereto to all facts within my personal knowledge except where stated upon information and belief. I further hereby declare that this declaration is executed under penalty of perjury at AGANA, Guam. on this 17 day of November 2003.

JOE PANGELINAN
Printed Name

[Signature]
Signature

CERTIFIED COPY

GUAM, U. S. A.,

On this 18th day of November, 2003, I certify that the preceding or attached documents and the duplicate retained by me as a notarial record, are true, exact, copies of "DECLARATION OF JOE PANGELINAN", presented to me by the document's custodian TONY H. ASHTIANI, held in my custody as a notarial record, and that, to the best of my knowledge, are either public records nor publicly recordable documents, certified copies of which are available from an official source other than a notary.

[Signature]
BENJAMIN G. GALARPE
NOTARY PUBLIC
In and for Guam, U.S.A
My Commission Expires: August 9, 2005
P. O. Box 821, Hagatna, Guam 96932

15 SEP 02

EEOC Director T. Rivera

My Name Is Fabian Therrell. In writing this statement of my own free will, I have been promised nothing, I have nothing to gain or loose.

X

I've Read The Statement Given by Sherman Thompson. Its Full of Lies! Everyone In Guam Line Maintenance Knows ^{Tony} ~~Sherman~~ Is From Iran. This Includes Sherman.

He would call Tony The Iranian Stallion or Persian Brother. Not A Bad Thing But It Was Well Known. Also, I've Work With Tony As Long As Anyone On Guam, And Tony Is A Very Hard Worker. He Fixes Airplanes... More Than I Have. I Believe

Sherman's Statement Was Forced, Or There Was A Hidden Motive Behind It.

671-647-5387

Fabian 114 @ netpcr.com
F. Therrell